

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSC.A. No. 07-CA-10864NG
Vol. I, Pg. 1-24SANDRA L. MACAULAY, as
Administratrix for the Estate of
CHRISTOPHER A. MACAULAY,

Plaintiff,

-vs-

MASSACHUSETTS BAY COMMUTER
RAILROAD COMPANY, LLC

Defendant

The AUDIOVISUAL DEPOSITION OF LINA I. MASEDA,
taken on behalf of the Plaintiff, pursuant to the
Federal Rules of Civil Procedure before
Mary V. Corcoran, a Professional Shorthand Reporter
and Notary Public in and for the Commonwealth of
Massachusetts, at the offices of NYSTROM BECKMAN &
PARIS LLP, 10 St. James Avenue, 16th Floor,
Boston, MA, on Wednesday, January 30, 2008,
commencing at 12:47 p.m.

ELLEN M. FRITCH & ASSOCIATES
375 Silver Street
South Boston, MA 02127
(617) 269-9448

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DEPOSITION OF LINA I. MASEDA

APPEARANCES

For the Plaintiff:

George J. Cahill, Jr., Esq.
CAHILL, GOETSCH & MAURER, P.C.
43 Trumbull Street
New Haven, CT 06510

For the Defendant:

Colleen C. Cook, Esq.
Michael Paris, Esq.
NYSTROM BECKMAN & PARIS LLP
10 St. James Avenue, 16th Floor
Boston, MA 02116

Also Present:

Mr. Craig Newman
VALED VIDEO
One Union Street
Boston, MA 02108

DEPOSITION OF LINA I. MASEDA

PROCEEDINGS

(Exhibits No. 1 through 3
premarked for Identification.)

THE VIDEOGRAPHER: Today's date is
January 30, 2008. The time is approximately
12:47 p.m. The tape is rolling, and we are on
the record.

My name is Craig Newman. I'm a legal
video specialist with Valed Video Services
with offices at One Union Street in Boston,
Massachusetts.

The case number is 07-CA-10864NG filed
in the United States District Court for the
District of Massachusetts entitled
Sandra L. Macaulay as Administratrix for the
Estate of Christopher A. Macaulay Versus
Massachusetts Bay Commuter Railroad Company,
LLC.

The Deponent is Lina Maseda, and this
video deposition was requested by
Attorney Cahill.

At this point, Counsel will please
identify themselves for the record, and the
Stenographer, Mary Corcoran with

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12:47:34 1 Ellen M. Fritch & Associates, will swear the
 12:47:37 2 Deponent.
 12:47:39 3 MR. CAHILL: George Cahill
 12:47:40 4 representing the Estate of
 12:48:01 5 Christopher Macaulay.
 12:48:01 6 MR. PARIS: Michael Paris for the
 7 Defendant, MBCR.
 8 MS. COOK: Colleen Cook for the
 9 Defendant, MBCR.
 10 THE COURT REPORTER: This is
 11 Mary Corcoran, the Court Reporter, and I'm
 12 going to swear in the Witness.
 12:48:18 13 (Witness sworn.)
 14 LINA I. MASEDA,
 15 having been satisfactorily identified by the
 16 production of her driver's license, and duly sworn
 17 by the Notary Public, was examined and testified on
 18 her oath as follows:
 19 DIRECT EXAMINATION
 12:48:29 20 (By Mr. Cahill)
 12:48:29 21 Q. Ms. Maseda, who are you employed by at this
 12:48:29 22 time?
 12:48:35 23 A. No one.
 12:48:37 24 Q. When did you stop working for the MBCR?
 DEPOSITION OF LINA I. MASEDA

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12:48:31 1 A. October 1, 2007.
 12:48:34 2 Q. And what is the reason that you stopped
 12:48:38 3 working for the MBCR?
 12:48:40 4 A. I resigned in the face of imminent dismissal.
 12:48:40 5 Q. Was the dismissal anything to do with the
 12:49:01 6 collision that occurred on January 9, 2007?
 12:49:05 7 A. Yes.
 12:49:07 8 Q. For how long were you working as a dispatcher
 12:49:10 9 for the railroad prior to January 2007?
 12:49:21 10 A. Five years.
 12:49:25 11 Q. And during that period of time, how long did
 12:49:29 12 you work as the Boston West dispatcher?
 12:49:32 13 A. I worked as a spare, meaning I shifted from
 12:49:45 14 desk to desk, so I didn't work any one desk
 12:49:51 15 per se consistently.
 12:49:53 16 Q. During that period of time, did you work as
 12:49:58 17 the Boston West dispatcher?
 12:50:00 18 A. Yes.
 12:50:02 19 Q. And how often would you say you worked as the
 12:50:06 20 Boston West dispatcher during that period of
 12:50:11 21 time?
 12:50:13 22 A. I can't recall.
 12:50:13 23 Q. As the Boston West dispatcher, are you in
 12:50:23 24 charge of the New Hampshire Main Line track?
 DEPOSITION OF LINA I. MASEDA

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12:50:28 1 A. Yes.
 12:50:29 2 Q. And does the New Hampshire Main Line track
 12:50:38 3 have automatic block system?
 12:50:37 4 A. Yes.
 12:50:38 5 Q. Could you tell us what an automatic block
 12:50:47 6 system is?
 12:50:43 7 A. An automatic block system is computerized
 12:50:48 8 blocking device, and what you do is you can
 12:50:53 9 use the computer to light up the section of
 12:51:00 10 track that you want to block or you could send
 12:51:04 11 an automatic signal system where you can use
 12:51:08 12 the computer to control the signals out in the
 12:51:13 13 field from a remote location.
 12:51:18 14 Q. With the signal system, is the track divided
 12:51:20 15 up into blocks, segments of track?
 12:51:23 16 A. There are segments of track, yes.
 12:51:25 17 Q. And if you have a train occupying a segment of
 12:51:30 18 track, would you have an indication that a
 12:51:33 19 train is occupying that segment of track?
 12:51:38 20 A. Yes.
 12:51:37 21 Q. And would the signal behind that train always
 12:51:41 22 be red with the automatic block system?
 12:51:43 23 A. Yes.
 12:51:44 24 Q. And would the signals also tell an engineer
 DEPOSITION OF LINA I. MASEDA

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12:51:42 1 where a train is in front of him, do you have
 12:51:51 2 like an advance approach signal or anything
 12:51:54 3 like that?
 12:51:59 4 A. Yes.
 12:52:05 5 Q. So, an engineer would know that perhaps a
 12:52:09 6 train is two segments of track ahead of him?
 12:52:13 7 A. I don't know that the engineer would know the
 12:52:16 8 exact distance. I know that they would know
 12:52:19 9 whether something was ahead of them or not,
 12:52:22 10 but they -- I don't know that they would know
 12:52:24 11 the exact distance that would be two blocks,
 12:52:28 12 three blocks.
 12:52:29 13 Q. But the way the system works is if a train is
 12:52:34 14 occupying a segment of track, the signal
 12:52:37 15 behind that train would be red?
 12:52:38 16 A. Yes.
 12:52:38 17 Q. And that's done automatically?
 12:52:40 18 A. Yes.
 12:52:41 19 Q. What are the control points between Wilmington
 12:52:42 20 and Boston?
 12:52:52 21 A. There's Wilmington interlocking; then there's
 12:52:56 22 Wilbur interlocking; then there's Crawford
 12:53:00 23 interlocking; then there's Winchester
 12:53:04 24 interlocking, and then there's Somerville
 DEPOSITION OF LINA I. MASEDA